

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL CISNEROS-ALVAREZ,

Defendant.

NO. CR-04-2171-LRS

**ORDER DISMISSING COUNT FOUR
WITH PREJUDICE**

BEFORE THE COURT is Defendant's Motion for Judgment of Acquittal (Ct. Rec. 63) filed April 26, 2005 after the Court declared a mistrial due to a hung jury. Also pending is the Government's Motion for an Order Dismissing Count 4 of the Indictment Without Prejudice (Ct. Rec. 65) filed April 27, 2005. The Court held a hearing on this matter on May 5, 2005. This Order is entered to supplement and memorialize the oral ruling of the Court.

ACCORDINGLY, pursuant to Fed.R.Cr.P 29 and for the reasons stated orally on the record May 5, 2005, **IT IS HEREBY ORDERED:**

1. Defendant's Motion for Judgment of Acquittal (Ct. Rec. 63) is **GRANTED.**

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